

REMARKS

Claims 1-5, 7, 8, 10-19 and 21-27 are pending in this case. Claims 1-5, 7, 8, 10-19 and 21-27 have been rejected. Claims 1, 17 and 19 have been amended. No new matter has been added. Claim 23 has been cancelled as the subject matter is covered within Claim 19.

Claims 1 – 3, 7, 8, 10, 12, 15, 19 and 21 - 24 have been rejected under 35 USC 103(a) as being anticipated by Kobayashi et al in view of Dubois et al. The Examiner states that Kobayashi shows the instant invention other than the molded fusion ring. Dubois teaches an extruded strand of thermoplastic material which is placed into the structure of Dubois (or Kobayashi) subsequent to any molding process which occurs. Dubois clearly states that the “string or slug” is “pre-formed” and there is no teaching to injection-mold the string or slug concurrently with a frame as is done in the instant invention as currently claimed. In fact, no prior art contemplates concurrent injection molding of a frame and fusion ring as is claimed in the instant application.

Claims 4 and 5 have been rejected under 35 USC 103(a) as being unpatentable over Kobayashi and Dubois in view of Brifcani et al. Brifcani is cited by the Examiner as showing “the use of the upwardly extending peripheral rim in conjunction with the bottom profile to allow stacking of container.” The combination of Kobayashi, Dubois and Brifcani fails to teach a fusion ring which is injection-molded concurrently with a frame as is claimed in the instant application.

Claims 13, 14, 25 and 26 have been rejected under 35 USC 103(a) as being unpatentable over Kobayashi and Dubois et al. in view of Guglielmo. The Examiner cites Guglielmo “for application of induction (electromagnetic) heating principles ... to attach closures to a container in a process that is clean, rapid and reliable without destructive heating in surrounding plastic

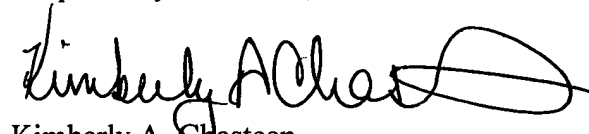
materials.” The combination Kobayash, Dubois and Guglielmo fails to teach a fusion ring which is injection-molded concurrently with a frame as is claimed in the instant application.

Claim 17 has been rejected under 35 USC 103(a) as being unpatentable over Kobayashi in view of Dubois et al. and Guglielmo. This combination is discussed above; again, the combination fails to teach a fusion ring which is injection-molded concurrently with a frame as is claimed in the instant application.

Claims 16, 18 and 27 have been rejected under 35 USC 103(a) as being unpatentable over Kobayashi and Dubois (or Dubois and Guglielmo) in view of McHenry et al. The Examiner cites McHenry as showing the use of “opposing, pre-scored cuts, offset, pre-scored cuts or aligned pre-scored cuts in the cover panel.” Neither the combination of Kobayashi, Dubois and McHenry nor the combination of Dubois, Guglielmo and McHenry teaches a fusion ring which is injection-molded concurrently with a frame as is claimed in the instant application.

All claims now in the application are deemed patentably distinguishable over the art applied and noted, but not relied upon. Accordingly, allowance of the application is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kimberly A. Chasteen", with a large, stylized loop at the end.

Kimberly A. Chasteen
Reg. No. 36,755

April 19, 2006
(757) 249-5100
Williams Mullen
721 Lakefront Commons, Suite 200
Newport News, VA 23606